

ATTACHMENT B

Work

From: "Noah Blechman" <Noah.Blechman@McNamaraLaw.com>
To: "Laura S Robinson" <lrobinson@juno.com>; <GHarv@cc.cccounty.us>; "James Fitzgerald" <James.Fitzgerald@McNamaraLaw.com>
Cc: <jhuang@justicefirstllp.com>; <jcandappa@sbcglobal.net>
Sent: 09/16/2008 5:03 PM
Subject: RE: Bhatnagar case

Ms. Robinson, we cannot reset the deposition of Mr. Ha, especially at this late hour and per your nebulous request to do so as you have a conflicting court schedule and Mr. Ha has a work conflict. We have been attempting to take Mr. Ha's deposition since October of 2007 and we are now only two weeks away from our discovery deadline and less than three months from trial. Furthermore, there are numerous depositions set in this case in the next two weeks (including on the 30th, the last day for discovery) making it impractical and unreasonanble to try to move this deposition. Mr. Ha was properly subpoenaed via personal service on September 2nd for this September 18th deposition and never informed us that he had any problems with the date of September 18th. Although we would like to try to accommodate your court schedule, we have been waiting patiently for 11 months to take this deposition and it cannot be now reset. This is the fourth time we have had to reset Mr. Ha's deposition (we have served him personally with a subpoena several times), and we are no longer willing to reschedule the deposition. This is the first time we were ever made aware that Mr. Ha was going to have personal counsel (other than perhaps Ms. Huang), which really is not needed since he is simply a fact witness in this matter. Previously in this matter, Ms. Huang had indicated that she would represent Mr. Ha at his deposition (per Ms. Huang's declaration in support of Plaintiff's motion for a protective order) so perhaps she can represent Mr. Ha if you are unavailable. Otherwise, we will assume that Mr. Ha will appear for his deposition per his subpoena, with the requested documents, on Thursday. Should he fail to appear, we will make the appropriate record and will seek the appropriate remedies and/or sanctions from the Court for Ha's failure to appear.

We have been very accomodating to Mr. Ha in resetting his deposition several times, including the most recent one in June of 2008 as we were informed just prior to the deposition date, by Ms. Huang and not Mr. Ha, that Mr. Ha was out of town. Mr. Ha's deposition must go forward as noticed in the subpoena. Should you inform me that you wish to start the deposition at 10:30 am instead of 9:30 am so you can attend a court appearance in the morning and you provide information about the specific case, case number and appearance needed, we may consider that accomodation. Otherwise, we look forward to seeing Mr. Ha on Thursday. Also, if Mr. Ha does not appear for his deposition, Defendant Ingrassia's deposition will not go forward until after Mr. Ha's deposition takes place, an issue that Ms. Huang and Mr. Candappa likely do not want to face. Thanks. NB

09/16/08

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-----Original Message-----

From: Laura S Robinson [mailto:lsrobinson@juno.com]

Sent: Tuesday, September 16, 2008 2:52 PM

To: GHarv@cc.cccounty.us; Noah Blechman

Subject: Bhatnagar case

Hi, I am the attorney for Richard Ha. I understand that there is a deposition scheduled for him already set for 9/18. Because of my court schedule, as well as Richard's work schedule, neither of us are able to make the 18th. Both of us are available 9/30 any time after 1:30. Please let me know if that date and time are acceptable to you. Thanks,
Laura

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